

2003 DRAFTING REQUEST**Bill**Received: **01/16/2003**Received By: **mglass**Wanted: **As time permits**

Identical to LRB:

For: **Mark Pettis (608) 267-2365**

By/Representing:

This file may be shown to any legislator: **NO**Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - boats snomos ATVs**
Nat. Res. - fish and game

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Use of all-terrain vehicles by hunters on department of natural resources lands

Instructions:

Allow persons 65 years old or older and persons with disabled hunting permits to operate all-terrain vehicles on state lands under the jurisdiction of the department of natural resources where DNR allows hunting

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							State
/1	mglass 02/17/2003	wjackson 02/17/2003	rschluet 02/18/2003		mbarman 02/18/2003		State
/2	mglass 02/20/2003	wjackson 02/21/2003	rschluet 02/21/2003		amentkow 02/21/2003	lemery 03/11/2003	

FE Sent For: *At intro.*

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For Assembly per Krubz

FE Sent For:

02/21/2003 11:41:01 AM

Page 2

LRB-1543

<END>

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Instructions:

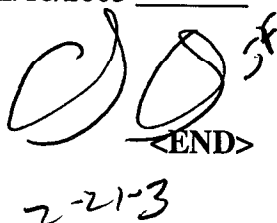
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FE Sent For:

/2 WJ 2/21



2-21-3

<END>

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Subject: Nat. Res. - boats snomos ATVs
Nat. Res. - fish and game

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

NR 45.05(1)(c)

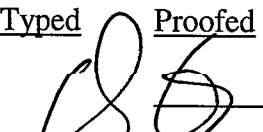
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1?	mglass	1 WJ 2/17					

FE Sent For:

2-18-3

<END>



State of Wisconsin
2003 - 2004 LEGISLATURE

D-Note

RMR
LRB-1543/1
MGG: /:....
wlj

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

GEN CAT

AN ACT ...; relating to: operation of all-terrain vehicles in state parks for purposes of hunting.

Analysis by the Legislative Reference Bureau

Under current law, a person may hunt deer, elk, wild turkey, or small game in a given state park if the Department of Natural Resources (DNR) has authorized by rule the hunting of that animal in that state park. Under rules promulgated by DNR, no person may operate a motorized vehicle in a state park except on highways and roads ^{that go} through the park and in parking lots and similar areas.

The bill allows a hunter who is at least 65 years old or ~~a person~~ who has been issued a Class A or Class B hunting permit by DNR to use an all-terrain vehicle (ATV) on any roadway or land for hunting in state parks. A Class A permit is issued to a person who has a permanent disability such as cardiovascular disease or a prosthesis and authorizes the permit holder to hunt from a stationary vehicle and to hunt with a crossbow under certain circumstances. A class B permit is issued to a person who has a temporary disability that restricts mobility and authorizes the permit holder to use any method that is available to a Class A permit holder and that is specifically authorized by DNR under the Class B permit.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 29.089 (3)[✓] of the statutes is amended to read:

29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state park, or in a portion of a state park, if the department has authorized by rule the hunting of that type of game in the state park, or in the portion of the state park, and if the person holds the approvals required under this chapter for hunting that type

* of game. ⁴⁴ A person who is at least 65 years of age or a person who holds a Class A permit or a Class B permit under s. 29.193 (2)[✓] may operate an all-terrain vehicle on any roadway or land located in a state park for the purposes^g of hunting as authorized under this subsection.[✓]

History: 1989 a. 214; 1997 a. 237; 1997 a. 248 s. 599; Stats. 1997 s. 29.089; 2001 a. 109.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1543/?dn
MGG:.....

5.

Under 29.193 (2) (d), a hunter with a Class A or ^{Class} B permit may be accompanied by another person to help with field dressing, tagging, and retrieving game. This bill does not authorize this accompanying person to operate an ATV. OK?

As drafted ^{bill} this allows a Class A or ^{Class} B permit holder or a person over 65 years old to operate an ATV for hunting even if he or she is able to hunting without the use of an ATV. OK?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1543/1dn
MGC:wlj:rs

February 18, 2003

Under s. 29.193 (2) (d), a hunter with a Class A or Class B permit may be accompanied by another person to help with field dressing, tagging, and retrieving game. This bill does not authorize this accompanying person to operate an ATV. OK?

As drafted, this bill allows a Class A or Class B permit holder or a person over 65 years old to operate an ATV for hunting even if he or she is able to hunt without the use of an ATV. OK?

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

NR 45.05(3)(a)



(a) *Posted notices.* Except as provided, no vehicle may be operated on lands and waters under the supervision, management or control of the department unless its use is specifically authorized by posted notice.



State of Wisconsin
2003 - 2004 LEGISLATURE

RMR
LRB-1543/m 2
MGG:wlj/11

Mon 2/24

2003 BILL

REGEN

INS ANL

- 1 AN ACT to amend 29.089 (3) of the statutes; relating to: operation of all-terrain
2 vehicles ~~in state parks~~ ^{on real property under the management, supervision,} or control of the department of natural resources for purposes of hunting.

Analysis by the Legislative Reference Bureau

Under current law, a person may hunt deer, elk, wild turkey, or small game in a given state park if the Department of Natural Resources (DNR) has authorized by rule the hunting of that animal in that state park. Under rules promulgated by DNR, no person may operate a motorized vehicle in a state park except on highways and roads that go through the park and in parking lots and similar areas.

The bill allows a hunter who is at least 65 years old or who has been issued a Class A or Class B hunting permit by DNR to use an all-terrain vehicle (ATV) on any roadway or land for hunting in state parks. A Class A permit is issued to a person who has a permanent disability such as cardiovascular disease or a prosthesis and authorizes the permit holder to hunt from a stationary vehicle and to hunt with a crossbow under certain circumstances. A Class B permit is issued to a person who has a temporary disability that restricts mobility and authorizes the permit holder to use any method that is available to a Class A permit holder and that is specifically authorized by DNR under the Class B permit.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL

1 SECTION 1. 29.089 (3) of the statutes is amended to read:

2 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
3 park, or in a portion of a state park, if the department has authorized by rule the
4 hunting of that type of game in the state park, or in the portion of the state park, and
5 if the person holds the approvals required under this chapter for hunting that type
6 of game. A person who is at least 65 years of age or a person who holds a Class A
7 permit or a Class B permit under s. 29.193 (2) may operate an all-terrain vehicle on
8 any roadway or land located in a state park for the purpose of hunting as authorized
9 under this subsection.

10 (END)

✓
INSERT

2-9

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1543/lins
MGC:wlj:rs

INSANL

through)
Under current rules promulgated by the Department of Natural Resources (DNR), no person may operate a motorized vehicle on land (DNR land) or in bodies of water that are in state forests or in other areas under the management, supervision, or control of DNR unless the operation of the vehicle is specifically authorized by posted notice.

This bill codifies this rule in statute as it relates to all-terrain vehicles (ATVs) and provides an exemption to this rule. Under the exemption, any person who is at least 65 years old or who has been issued a Class A or Class B hunting permit by DNR may operate an ATV on DNR land, and on any roadway on such land, for the purpose of legally hunting, field dressing, tagging, and retrieving game.

under the management, supervision, or control
of DNR

SECTION 23.33 (1) (g) of the statutes is created to read:

23.33 (1) (g) "Department property" means real property or a body of water under the management, supervision, or control of the department.

SECTION 23.33 (3m) of the statutes is created to read:

23.33 (3m) OPERATION ON DEPARTMENT PROPERTY (c) (a) Except as provided in par. (b), no person may operate an all-terrain vehicle on department property unless operation of all-terrain vehicles is specifically authorized by notice posted by the department on the department property.

(b) A person who is at least 65 years of age or a person who holds a Class A permit or Class B permit under s. 29.193 (2) may operate an all-terrain vehicle on any land, including any roadway, located on department property for the purpose of legally hunting, field dressing, tagging, and retrieving game.

Emery, Lynn

From: Emery, Lynn
Sent: Friday, February 21, 2003 4:51 PM
To: Colvin, Alan; Liedl, Kimberly
Subject: LRB-1543/2 (attached as requested)



03-1543/2

Lynn Emery
Program Assistant
Legislative Reference Bureau
608-266-3561
lynn.emery@legis.state.wi.us